

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RUSSELL D. BALCH,

Plaintiff,

vs.

Civil Action 2:08-CV-976
Judge Holschuh
Magistrate Judge King

OHIO DEPARTMENT OF CORRECTIONS,
et al.,

Defendants.

ORDER

On October 20, 2008, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the defendant state agencies be dismissed from this action. Plaintiff was specifically advised of his right to object to the *Report and Recommendation* and of the consequences of his failure to do so. There has nevertheless been no objection to the *Report and Recommendation*. Instead, on November 10, 2008, Plaintiff filed an Amended Complaint in which he again listed numerous state agencies as defendants.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. For the reasons stated in the *Report and Recommendation*, the defendant state agencies are **DISMISSED** from this action.

Plaintiffs' claims against the individuals named in the Amended Complaint remain pending. The Court expresses no opinion regarding the merits of those claims.

Date: November 17, 2008

/s/ John D. Holschuh
John D. Holschuh, Judge
United States District Court